

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 08-0730 WHA

Plaintiff,

v.

**ORDER DENYING WITHOUT
PREJUDICE DISCOVERY MOTION
FILED BY DEFENDANT MORIS
FLORES (DKT. NO. 3387)**

MORIS FLORES, *et al.*

Defendants.

Defendant Moris Flores moves for discovery regarding the alleged cooperation of Manuel Franco (Dkt. No. 3387). The motion is **DENIED WITHOUT PREJUDICE** to refiling after counsel meets and confers with the government to determine whether the government is even unwilling to turn any such records over. As stated in a recent order regarding defendant Guillermo Herrera's discovery motions, this is the procedure required by Criminal Local Rule 16-2 (Dkt. No. 3305). If a conference with the government does not fully resolve the matter, defendant Flores' re-filed discovery motion should address what efforts were made and describe the matters which could not be resolved.

IT IS SO ORDERED.

Dated: February 9, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE